

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRY NELSON, ROBERT
SECRETE, KEVIN FORD and
THOMAS LAREAU,
on behalf of themselves
and a similarly situated class,
THE INTERNATIONAL UNION,
UNITED AUTOMOBILE, AEROSPACE
AND AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA (UAW)
and its LOCAL 600,
Plaintiffs,

Case No. 2:17-cv-14209
Class Action

U.S. District Judge Terrence G. Berg

v.

AK STEEL CORPORATION,
Defendant.

**ORDER GRANTING PRELIMINARY APPROVAL OF SETTLEMENT,
CERTIFYING THE CLASS AND APPOINTING CLASS
REPRESENTATIVES AND CLASS COUNSEL, SCHEDULING A
FAIRNESS HEARING, AND DIRECTING NOTICE TO THE CLASS**

The Court, having considered the parties' Joint Motion, exhibits and related papers (R. 10), pursuant to Rule 23(c)(3) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED:

1. The proposed settlement (Ex. 2) is preliminarily approved.
2. The following Class is conditionally certified pursuant to Rule 23(a) and 23(b)(1) or (2) of the Federal Rules of Civil Procedure:

A. Current and future hourly retirees who are or were represented by the UAW in collective bargaining in Dearborn, MI and:

(1) who retired from AK Steel, or from Severstal North America, Inc., Severstal Dearborn, Inc., and/or Severstal Dearborn, LLC (together, “Severstal NA”), on or after January 30, 2004; or

(2) who may in the future retire from AK Steel or its successors; and

B. The surviving spouses of the retirees and the future retirees described above.

C. The Class does not include hourly employees of AK Steel or its successors hired on or after January 1, 2018, nor does it include the surviving spouses of such employees.

3. Class Plaintiffs Terry Nelson, Robert Secrete, Kevin Ford, and Thomas Lareau are conditionally appointed as Class Representatives.

4. Class Plaintiffs’ counsel, Lisa M. Smith of McKnight, Canzano, Smith, Radtke & Brault, P.C., is conditionally appointed as class counsel.

5. A Rule 23 fairness hearing shall be held at 1:00 p.m. on August 6, 2018 to determine whether the class settlement is fair, reasonable, and adequate at:

U.S. District Court for the Eastern District of Michigan
Theodore Levin U.S. Courthouse, Room 110
231 W. Lafayette Boulevard, Detroit, MI 48226.

6. Any class member may file a written objection on or by June 15, 2018, and mail a copy to counsel for each of the parties. Any class member who does not timely file and serve written objections in the above manner will be

deemed to have waived objections and is precluded from making any objections to the fairness or adequacy of the proposed settlement.

7. It is further ordered that the fairness hearing may be continued or adjourned by order of this Court, from time to time, and without further notice to the class, except as to any class member who timely filed an objection.

8. The proposed notice to the class (substantially in the form of Ex. 3) is approved and shall be issued by the Court Clerk. Class counsel is to send the notice by first class U.S. mail to class members within 14 days after Court issuance, or as soon as administratively practicable thereafter, of the Court Clerk-issued notice along with Ex. 2, the settlement agreement, its Appendix H, and Appendix G to the 2012 Severstal NA CBA.

IT IS SO ORDERED, this 13th day of April, 2018.

/s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: April 13, 2018